

IN THE UNITED STATES PATENT AND TRADEMARK

Applicants: COOPER, GARTH J.S. ) Group Art Unit: 188/86  
Serial No.: 236,985 ) Examiner: D. Phillips  
Filed: August 26, 1988 )  
For: TREATMENT OF DIABETES )  
MELLITUS ) Los Angeles, CA 90017

PETITION TO MAKE SPECIAL UNDER 37 CFR  
§1.102(D) AND 1092 TMOG 10

RECEIVED GROUP 180  
JUN 15 1989

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Dear Sir:

Applicant hereby petitions to accelerate the examination of the captioned, as-yet-unexamined application pursuant to 37 CFR §102(d) and 1092 TMOG 10 (July 19, 1988). The requirements of 1092 TMOG 10 are satisfied here: (1) assignee Amylin Corporation is a small entity; (2) the subject of the patent application is a major asset of Amylin Corporation; and (3) the development of this technology will be significantly impaired if examination is delayed, as explained in the accompanying Declaration of Howard E. Greene.

This Petition is accompanied by:

1. The Petition fee of \$72.00 set forth in 37 CFR §1.17(i) together with a duplicate copy of this petition. The Commissioner is hereby authorized to charge any additional fees

associated with this petition or credit any overpayment to  
Deposit Account 12-2475.

2. The Declaration of Howard E. Greene.

Respectfully submitted,

LYON & LYON

Dated: June 14, 1989

By Bradford J. Duft  
Bradford J. Duft  
Registration No. 32,219

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Los Angeles, California 90017  
(213) 489-1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: COOPER, GARTH J.S.	)	Group Art Unit: 183
	)	
Serial No.: 236,985	)	Examiner: D. Phillips
	)	
Filed: August 26, 1988	)	
	)	
For: TREATMENT OF DIABETES	)	Los Angeles, California
MELLITUS	)	

**DECLARATION OF HOWARD E. GREENE IN  
SUPPORT OF PETITION TO MAKE SPECIAL UNDER 37 CFR §1.102**

I, Howard E. Greene declare that:

I am currently President and Chief Executive Officer of Amylin Corporation, the assignee of USSN 236,985, filed August 26, 1988 and am authorized to execute this declaration on behalf of assignee. I am familiar with the technology disclosed and claimed in this application.

The application is a major asset of Amylin Corporation and is of major importance to the company. Development of the technology in this patent application will be significantly impaired if examination is delayed.

Amylin Corporation is interested in developing for market the subject matter disclosed and claimed in the present patent application, which relates generally to peptides which show promise in the diagnosis and treatment of certain human disease conditions including diabetes, the successful treatment of which will have extraordinary potential benefits for mankind.


Amylin Corporation has reached a point where it must make decisions at the earliest time possible as to funding and commercialization of the related technology disclosed and claimed

herein. In order to promote outside investment in Amylin Corporation, there must be some assurances available to potential investors that the patentability of this subject matter will be determined within a reasonable period of time. Furthermore, the degree to which investors are willing to invest in the assignee will be dependent on the granting of a patent for this invention, as certain potential investors have already indicated. The amount of money available to pursue commercialization of this technology is directly related to such investments.

Because Amylin Corporation is a tiny company, and this technology comprises one of its few assets, Amylin Corporation is dependent on such outside investment for the funds to pursue development of this technology. Amylin Corporation is not likely to be able to timely obtain sufficient funds to develop and bring the invention to market unless it is certain that a patent will be granted on the instant application.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that those statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Dated: June 5, 1989

  
HOWARD E. GREENE  
President and Chief Executive  
Officer of Amylin Corporation